

**PERSONAL PAPERS  
and  
COMMUNICATIONS**

**PACKAGE**

**May 21, 2001**

**PERSONAL PAPERS**

**REFERRED**

**May 21, 2001**

**AN ORDINANCE**

**BY COUNCIL MEMBER CLAIR MULLER**

**01- 0 -0819**

**AN ORDINANCE TO: [i] ABANDON PORTIONS OF JONES AVENUE, N. W., SIMPSON STREET, N.W., ELLIOTT STREET, N.W., EDWARD STREET, N.W. (NORTH OF WESTERN AVENUE), EDWARD STREET, N.W. (SOUTH OF WESTERN AVENUE), JOHNSON STREET, N.W., DAVIS STREET, N.W., AND AN ALLEY; [ii] AUTHORIZE THE CITY TO WAIVE THE REQUIREMENT THAT THE APPRAISED FAIR MARKET VALUE OF THE ABANDONED PROPERTIES BE PAID TO THE CITY [iii] AUTHORIZE THE MAYOR TO EXECUTE A QUITCLAIM DEED TO THE GEORGIA STATE PROPERTIES COMMISSION CONVEYING THE ABANDONED PROPERTIES; AND [iv] FOR OTHER PURPOSES**

**WHEREAS**, the City of Atlanta has received a formal request from the State of Georgia through the Georgia State Properties Commission, the abutting property owner, to abandon a portion of certain streets located in the City of Atlanta, for the purpose of building a parking lot for the Georgia World Congress Center expansion project; and

**WHEREAS**, the abandoned rights-of-way will become part of the abutting owner's private property and it will be responsible for maintaining, operating, and providing all services and utilities associated with the abandoned properties; and

**WHEREAS**, the Georgia State Properties Commission has requested that the City waive any compensation for the abandoned properties because, inter alia, the proposed abandonment will directly benefit the City and will also enhance local employment opportunities, as the abandonment will provide land for the construction of an expansion to the Georgia World Congress Center, a downtown employer; and

**WHEREAS**, the request to abandon the streets without compensation has been reviewed by the proper City agencies and by all public utilities and it has been determined by the appropriate City agencies, including the Department of Public Works and Bureau of Purchasing and Real Estate, that the abandonment is in the best interests of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, AS FOLLOWS:**

**Section 1.** That Jones Avenue, N.W., between Northside Drive and Gray Street N.W. Containing 26,015.20 Square Feet. Lying and being in Land Lot 82 of the 14<sup>th</sup> District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and it hereby is declared no longer useful or necessary for the public's use and convenience.

**Section 2.** That Simpson Street, N.W., between West Connector and Elliott Street. Containing 42,417.23 Square Feet. Lying and being in Land Lot 82 of the 14<sup>th</sup> District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and it hereby is declared no longer useful or necessary for the public's use and convenience

**Section 3.** That Elliott Street, beginning at the southwest corner of the intersection of Simpson Street running south to a point containing 20,233.55 Square Feet. Lying and being in Land Lot 82 of the 14<sup>th</sup> District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and it hereby is declared no longer useful or necessary for the public's use and convenience

**Section 4.** That Edward Street, N.W., (NORTH OF WESTERN AVENUE). Containing 11,441.70 Square Feet. Lying and being in Land Lot 82 of the 14<sup>th</sup> District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and it hereby is declared no longer useful or necessary for the public's use and convenience

**Section 5.** That Edward Street, N.W., (SOUTH OF WESTERN AVENUE). Containing 2,471.02 Square Feet. Lying and being in Land Lot 82 of the 14<sup>th</sup> District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and it hereby is declared no longer useful or necessary for the public's use and convenience

**Section 6.** That Johnson Street, N.W., between Northside Drive and Edward Street Containing 11,441.70 Square Feet. Lying and being in Land Lot 82 of the 14<sup>th</sup> District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and it hereby is declared no longer useful or necessary for the public's use and convenience

**Section 7.** That Davis Street, N.W., between Western Avenue and Simpson Avenue. Containing 19,701.27 Square Feet. Lying and being in Land Lot 82 of the 14<sup>th</sup> District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and it hereby is declared no longer useful or necessary for the public's use and convenience

**Section 8.** That Gray Street, N.W., between Western Avenue and West Connector. Containing 20,118.57 Square Feet. Lying and being in Land Lot 82 of the 14<sup>th</sup> District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and it hereby is declared no longer useful or necessary for the public's use and convenience

**Section 9.** That an alley, N.W., Containing 1,005.74 Square Feet Lying and being in Land Lot 82 of the 14<sup>th</sup> District of Fulton County, Georgia, as shown on the attached Exhibit "A", be and it hereby is declared no longer useful or necessary for the public's use and convenience

**Section 10.** That all reservations for existing public or private utility easements must remain in effect for the purpose of entering the properties to operate, maintain, or replace the utility facilities. These easements must remain in effect until the time that the utilities are abandoned, removed, or relocated, at which time, the easements will expire.

**Section 12.** That compensation for the fair market value of the abandoned properties is waived by the City, as determined to be desirable and in the best interests of the City by the Director of the Bureau of Purchasing and Real Estate.

**Section 13.** That all costs associated with the advertising of the petition for abandonment will be charged to and paid from Account Number 3P02-491102-M22F03349999.

**Section 14.** That upon approval of this Ordinance, and upon acceptance of the necessary documents by the Department of Public Works, and upon And the payment by the Georgia State Properties Commission of the advertisement portion of the fees set forth in Section 138-5(a)(5) of the City's Code of Ordinances, the City Attorney is directed to prepare a Quit Claim Deed and other appropriate documents to effectuate the abandonment authorized by this Ordinance.

**Section 15.** That the Mayor is authorized to execute the Quit Claim Deed and other necessary documents, as determined by the City Attorney, for the abandoned street rights-of-way, upon payment of the determined fair market value of the streets.

**Section 16.** Upon execution, the Quitclaim Deed will be filed and recorded in the Real Property Records of Fulton County, Georgia.

- **Section 17.** That all code sections, ordinances, and parts of code sections and ordinances in conflict with this Ordinance are waived.

01 - C - 0819

(Do Not Write Above This Line)

AN ORDINANCE

BY COUNCILMEMBER CLAIR MULLER

AN ORDINANCE TO ABANDON PORTIONS OF JONES AVENUE, NW, SIMPSON STREET, NW, ELLIOTT STREET, NW, EDWARD STREET, NW (NORTH OF WESTERN AVENUE), EDWARD STREET, NW (SOUTH OF WESTERN AVENUE), JOHNSON STREET, NW, DAVIS STREET, NW, AND AN ALLEY; AUTHORIZE THE CITY TO WAIVE THE REQUIREMENT THAT THE APPRAISED FAIR MARKET VALUE OF THE ABANDONED PROPERTIES BE PAID TO THE CITY; AUTHORIZE THE MAYOR TO EXECUTE A QUITCLAIM DEED TO THE GEORGIA STATE PROPERTIES CONVEYING THE ABANDONED PROPERTIES; AND FOR OTHER PURPOSES

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 5/21/01

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred to \_\_\_\_\_

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

FINAL COUNCIL ACTION

- ☐ 2nd ☐ 1st & 2nd ☐ 3rd
- Readings
- ☐ Consent ☐ V Vote ☐ RRC Vote

CERTIFIED

MAYOR'S ACTION